

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

01 SEP 27 PM 3:33

TONY LEE SMITH,

Plaintiff,

vs.

SHERIFF LARRY AMERSON,  
JAIL ADMINISTRATOR BRUCE  
BARCLIFT, and OFFICER JOHN  
PITTS,

Defendants.

U.S. DISTRICT COURT  
N.D. OF ALABAMA

CIVIL ACTION NO. 98-N-1111-E

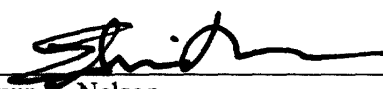
ENTERED

SEP 27 2001

MEMORANDUM OPINION

The court has considered the entire file in this action, together with the Magistrate Judge's Report and Recommendation and the plaintiff's objections, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the Magistrate Judge as the findings and conclusions of the court.<sup>1</sup> In accord with the recommendation, the defendants' motion for summary judgment as to the only issue remaining, the medical care claim, is due to be granted and this claim is due to be dismissed. An appropriate order will be entered.

DONE this 27<sup>th</sup> day of Sept, 2001.

  
Edwin L. Nelson,  
United States District Judge

<sup>1</sup> The court notes, however, that on page ten of the report and recommendation, in the quote from Dr. Stokes' affidavit, the words "as well as my diagnosis for his recovery" should read "as well as my prognosis for his recovery."

118